

### **REMARKS**

This communication is a full and timely response to the final Office Action dated August 4, 2011. Claims 1-6 and 8-13 remain pending and claim 7 was previously canceled. By this communication, claims 1 and 10 are amended, and claims 12 and 13 are added. Support for the amended subject matter can be found, for example, at paragraphs [0044] - [0048] of Applicants' disclosure.

#### **Allowed Claims**

Applicants appreciate the Examiner's indication that claim 11 is allowed.

#### **Rejections Under 35 U.S.C. §103**

Applicants claims stand variously rejected under 35 U.S.C. §103(a). In particular, in numbered paragraph 3 on page 3 of the Office Action, claims 1, 2, 4-6, 8, and 9 are rejected for alleged unpatentability over *Oki et al* (JP 2002209193A) in view of *Bishop et al* (U.S. Patent No. 4,910,683) and further in view of *DeMoney* (U.S. Patent No. 6,064,379); in numbered paragraph 4 on page 7 of the Office Action, claim 3 is rejected as being unpatentable over *Oki* in view of *Bishop*, further in view of *DeMoney*, and further in view of *Potrebic et al* (U.S. Patent No. 6,804,824); and in numbered paragraph 5 on page 9 of the Office Action, claim 10 is rejected for allegedly unpatentability over *Oki et al* in view of *Bishop*, further in view of *DeMoney* and further in view of *Duso et al* (U.S. Patent No. 6,625,750). Applicants respectfully traverse these rejections.

Independent claim 1 is amended to recite, in part, "when video information not included in the schedule data is to be displayed, the schedule management section compares timing associated with the schedule data and timing associated with the

video information not included in the schedule data to determine a timing of generating an interrupt image control signal".

Because of this amendment, the rejection of claim 1 over the combination of *Oki*, *Bishop*, and *DeMoney* is moot and its withdrawal is hereby requested. In addition, claim 1 is also distinguishable over the other alleged prior art combinations because of their failure to disclose or suggest the totality of features recited therein.

On pages 9-10 of the Office Action, the Examiner acknowledges that the combination of *Oki*, *Bishop*, and *DeMoney* fails to disclose or suggest, among other features, a schedule management section that generates an interrupt image control signal for displaying video information not included in the schedule data. *Duso* is applied for its disclosure of a video file server system, which is alleged to remedy the deficiencies of the primary references.

*Duso* discloses a process for playback protocol between a client and a video file server. In the process, the client creates a playlist that contains a fixed number of entries (col. 45, lines 25-39). After the playlist is created, an edit session command can be generated by the client to add one or more clips from the file server to the playlist (col. 46, lines 27-34). The video file server can dynamically revise the playlist during broadcast of the clip playlist (col. 48, lines 22-24). To ensure continuity of the broadcast transmission during each clip, a limit regarding how close to air-time a clip can be deleted or a new clip inserted is set. If this limit is met, then the edit command is rejected (i.e., no interruption). If, however, the difference in time between the earliest time of continuous media to be added to or deleted from the playlist and the current time of the broadcast, is less than a certain

minimum time then the playlist is edited (i.e., interruption allowed) (col. 49, line 58 through col. 50, line 4).

From the disclosure of *Duso*, one of skill in the art would understand that this document does not disclose or suggest wherein when video information not included in the schedule data is to be displayed, the schedule management section compares timing associated with the schedule data and timing associated with the video information not included in the schedule data to determine a timing for generating an interrupt image control signal, as recited in claim 1.

In Applicants' claimed embodiment, when video information not contained in the schedule data is received there is no determination of whether the interrupt image control signal will be generated and the video information displayed. Rather, as expressly recited in the claims, the determination is performed to establish a timing of generating the interrupt image control signal.

In contrast, *Duso* discloses that the calculated time difference is used to enable or reject the insertion of a clip into the playlist. That is, the determination is made to establish whether the video information of the edit session will be displayed. There is no appreciation in this document for influencing a timing in which the video information will be displayed based on a comparison of timing associated with the schedule data and timing associated with the video information not included in the schedule data, as is recited in the claims.

In summary, *Oki*, *Bishop*, *DeMoney*, and *Duso* when applied individually or collectively fail to disclose or suggest the combination of features recited in Applicants' claim 1. In addition, neither does *Potrebic* as hypothetically combined with the aforementioned documents, where applicable, remedies the established

deficiencies. For these reasons, a *prima facie* case of obviousness has not been established and withdrawal of all rejections under 35 U.S.C. §103 is requested.

**New Claims**

Claims 12 and 13 are added. These claims depend from independent claim 1 and are distinguishable over the prior art of record for at least the reasons discussed above with respect to claim 1 and further because of the additional features recited therein. Hence, favorable consideration of these claims is requested.

### **CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully submit that claims 1-6 and 8-13 are allowable and this application is in condition for allowance. In the event any issues adverse to allowance remain, the PTO is encouraged to contact Applicants' representative identified below.

Respectfully submitted,

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